

Australian Assertion (bill) of Common Law Rights and Responsibilities.

Preamble (Introduction)

1 As with the Australian Commonwealth Constitution (as at 1/1/2000), we the people of Australia, assert that we agree to humbly rely on the blessings of Almighty God in whatever peaceful manner we see fit. The blessings of Almighty God are as follows:

- a) love;
- b) freedom;
- c) a body capable of providing for itself;
- d) a brain to furnish us all with sufficient intelligence to learn and to know what is best for our selves, our families, and our friends and neighbours;
- e) a continent with sufficient land for everybody to peacefully sustain themselves and raise their families.

We further assert that these are inalienable blessings that can never rightfully be alienated from us while we continue to live in peace.

If we do not actively exercise our responsibility to protect these, our freedoms, then we fully deserve the government that would see fit to take our freedoms away from us.

2 As far as is possible and necessary, *explanations* and other *notes* are given in each section so that the original intent of any section can be more easily preserved and understood by every Australian individual of reasonable sanity, even if the meanings of some words change over a period of time.

It is important to note that there are those who would seek to twist the meanings of words in order to further their cause of taking away our rights and freedoms.

Common notions and ideas taken for granted (inalienable)

3 It is agreed that this Australian Assertion of Common Law Rights and Responsibilities is primarily a document to stop the usurpation of our freedoms and rights. It is we the people's responsibility to protect these freedoms and rights. It is agreed that this Australian Assertion of Common Law Rights and Responsibilities has existed in spirit in the past with the aboriginal people, exists now with both aboriginal people and later arrivals, and will exist until Australia ceases to exist. The ideals in this document are taken to be what all peaceful people have always wanted, and will always want. This is what makes it impossible for any government or any other entity to legitimately alienate we the people from these, our rights, freedoms and responsibilities. It is taken for granted that the great majority of we the people of Australia are the final and ultimate authority in Australia, since without the presence of people there would be no need for government of any sort. This logically implies that government is there to serve we the people. It is agreed that corporations are not people or persons, because corporations have no physical being and thus cannot be incarcerated and also because corporations have no ability to know the difference between right and wrong.

The Magna Carta of 1215AD was a document to limit the excesses of the Monarchy of 1215AD. Later, the English civil war ended with King Charles being tried and sentenced to death for his continued efforts to enslave the people of England. This assertion of common rights, is a document to limit the excesses of every type of government within Australia and also the excesses of we the people. When excesses of 'authority' are allowed to go unchecked, oppression sets in. Oppression kills peace, harmony, generosity, and general good will and love. Oppression is the principal enemy of we the people.

4 It is taken as inalienable that each individual adult in Australia has the final and ultimate authority over the state of their own life. No person or group of people have the authority to force any other person or group of people, to protect themselves to any degree, or from any thing. This means that every individual adult may see or do any thing regardless of the danger to themselves, as long as that activity does not deny any other person the rights and freedoms in this Australian Assertion of Common Law Rights and Responsibilities.

It might be thought that employees can be forced to do, or not do, any lawful thing during the periods of their employment. However, it needs to be understood that employment is actually a kind of partnership and contract in which an agreed amount of a persons time of work is exchanged for an agreed amount of cash. When one of the parties ceases to love or care about the other party, the agreement is displaced by disharmony, which can lead to real harm. Contracts cannot endure the duress of exploitation. We all know these things in our hearts. Although freedom, life, and other blessings are to be revered and respected, we can not be forced to worship life, freedom, or any other thing, however desirable they may be. Reverence and respect are not the same as worship.

5 It is taken for granted that we are all equal before the laws of Australia, including this Australian Assertion of Common Law Rights and Responsibilities, and we all agree that Almighty God has made no race, gender, or individual, inherently better or worse, or more or less privileged, than any other. We further agree that all laws that are created, apply equally to individuals as well as governments and public servants.

6 It is agreed that a minor is anybody who is younger than 14 years of age. It is agreed that the rate of maturity can vary greatly across the three facets of maturity: sexual; emotional; and intellectual. It is also agreed that people who have turned 14, should be considered probationary adults with limited rights, freedoms, and responsibilities.

A series of tests could be devised to help delineate when a probationary adult becomes a full adult. Such tests would require periodic revision.

7 It is agreed that every individual adult may think and believe freely, and may express opinions freely.

There is a difference between stating an opinion and making factual statements which may be true or false.

8 It is agreed that every individual adult has the freedom to associate and assemble peaceably with any other individual adult, or group of individual adults. It is further agreed that consenting adults may marry freely. It is further agreed that marriage is about personal happiness between consenting adults, and not for financial gain or any other kind of coercion.

Marriage is between consenting adults who seek to be happy. For this reason polygamy cannot legitimately be denied by either clergy or government. Neither can marriages be denied between consenting adults from other nations.

9 It is agreed that every individual adult has the freedom to reside anywhere on their own property, or anywhere else by a tenancy agreement. Real property (land) is a primary source of sustenance. It is not primarily a work of art, a fashion statement, or an object for financial investment. Peaceful possession of such real property cannot ever be denied. It is also agreed that possession of any parcel of land will be considered relinquished if it has remained vacant for a period of between 2 years and 5 years as determined by local councils, perhaps via a vote of the local residents.

As with crimes, where one is presumed innocent until proven guilty, so too one is presumed competent until proven incompetent, to build one's own home. At the time

of this writing (2017), there is a great mountain of information about how to build structures such that they don't collapse. It also needs to be considered that competent people will want for their dwellings to not collapse while they reside within them. Councils ought to be repositories of such information, particularly with reference to local conditions. Also, it is possible that some unscrupulous people will create hostile structures, such as buildings that deliberately obstruct views that a neighbour might have been able to enjoy before. Any regulations should be reserved for building companies or individuals who have no intention of living in the structures they build. Councils could perhaps act as mediators in an effort to avoid petty court cases. Total transparency would aid in this.

10 It is agreed that every individual adult has the freedom to travel peacefully to and from Australia. It is further agreed that every adult may peacefully travel along public thoroughfares as long as they do not wilfully obstruct any other persons right and freedom to do the same.
Australia is not a prison.

11 It is agreed that every individual has the freedom to pursue a livelihood that does not deny any other free individual the rights and freedoms contained in this Australian Assertion of Common Law Rights and Responsibilities. It is further agreed that friendly competition poses no real threat to anybody else's livelihood. At the time of this writing (2017) robotics and automation are replacing an ever increasing number of human workers, to the point where there will be so few human workers required in the future, that government social security handouts will become infeasible. People providing their own sustenance will circumvent the need for government handouts in their lives. Government social security handouts must necessarily come to an end in due course, along with the taxes that currently pay for said handouts.

12 It is agreed that every individual has the right to defend themselves, families, friends, and neighbours from physical, emotional, psychological, financial, or any other kind of harm. It is further agreed that firearms are an acceptable form of defence.

History has shown many times that the greatest threat to individual security is government and its agencies and departments. If most individuals possess weapons equal to that of the police or armed forces, then the need for police and armed forces are greatly reduced. There is no reason why education can't play a key role in using firearms safely, and also living in peace.

Political and legal rights

13 It is agreed that every Australian adult has the right to one vote at Australian federal, state, and council elections by way of secret ballot, and no law can ever deny any Australian adult this right. Failure to vote is taken to mean a vote for nobody. It is further agreed that the only lobbying that is lawful is for voters to write 'my will' letters to respective members of parliament. At the time of this writing (2017), lobbying by multinational corporations, and other wealthy individuals, is rampant and is an attempt to usurp the authority of we the people. All such lobbying must not be permitted and is taken to be entirely treasonous behaviour. Politicians and other public servants who accept 'gifts' (bribes) by lobbyists are also acting in a treasonous manner. Transparency of our politicians and public servants is paramount.

14 It is agreed that every Australian adult may nominate and stand for elections without any cost.
Otherwise it could eventuate that only wealthy persons or groups (political parties) could either stand and/or nominate a person for Australian elections, and

thus only serve the wealthy, and possibly foreign interests.

15 It is agreed that every Australian adult may record their dismay with their elected representative(s). If more than 20% of the voters in any one electorate record such dismay for their elected representative then that representative does not represent their electorate and thus their parliamentary seat becomes vacant and a new representative will need to be elected by that electorate.

This will make politicians (and possibly public servants) accountable to us, and it will make us accountable for whom we vote into office in the first place. Elections cost money. Although 20% may seem somewhat arbitrary, it must be noted that 20% of an electorate represents a very large number of people, and for that many people to be upset enough to voice their disapproval means that there must be a significant problem with the representative in question. At the time of this writing (2017), it is entirely feasible to create a demerit system where there is an 'account' which records both positive and negative feedback about any one individual politician and possibly also public servants. This would have the added benefit of making elections and other political processes much more dynamic as well as honest.

16 It is agreed that every Australian shall receive a free copy of this Australian Assertion of Common Law Rights and Responsibilities and a free copy of the Australian Constitution upon becoming a probationary adult.

At this time of writing (2017) email is becoming more acceptable for this.

17 It is agreed that every individual in Australia has the right to the Common Law principle of being assumed innocent until proven guilty in an Australian court of Law, under scrutiny of the public eye.

We do not want secret police, nor do we want secret court sessions where corruption and other vile things may be practised without our knowledge.

18 We the people collectively, have the right to have simple laws that do not require the interpretation of lawyers.

People who seek to wrong others will always find a way of doing the wrong thing in an entirely legally correct manner, no matter how complex and pedantic the laws may become. The best test of wrongdoing is to question if harm has been done or not. A jury made up of members of the local community is eminently capable of making such a judgement, which is why it has been a part of common law for many centuries. It is also noted that simple laws are far less likely to further corrupt conduct.

19 It is agreed that every adult in Australia has the right to be given a copy of all the laws of Australia. It is further agreed that every adult in Australia also has the right, to be given all new laws or amendment to the laws of Australia before such amendments or laws come into force.

This way every individual may know what the laws are and either obey or object to the work of their elected politicians. At this time of writing (2017), this is entirely feasible because communication by email is so simple.

20 It is agreed that every adult in Australia has the right to protect themselves against unreasonable search and/or confiscation of goods, and also the right not to be denied their freedom arbitrarily. It is further agreed that every lawfully arrested individual in Australia has the right to be told promptly the reason for the arrest, to have the legality of the arrest determined on the same day or the next working day, given opportunity to summon help, and have bail seriously considered.

We the people collectively, want convicted remorseless criminals to be punished properly, but still with compassion. Remorseful criminals should be shown more compassion than remorseless criminals. It is agreed that theft is a personal

violation, and thus a violent crime. It is also agreed that serious neglect which causes harm should be punished as a crime. An offence is not a crime and a crime is not an offence. To take 'offence' is to disagree with somebody else's 'art' or 'fashion'. To equate such a thing with committing a crime is very much repugnant and has no place in common law, or in Australia.

21 It is agreed that every convicted person has the right not to be punished for any one crime more than once, and not to be tortured.

Miscellaneous Notions

22 With regard to children, we the people, assert that although we do not own our children, we are nevertheless responsible for our own children, which means that we as parents of our children are responsible for their wellbeing, their education, and also their upbringing. This means that no-one else can dictate how we accomplish this as long as our methods of doing this causes no harm.

23 With regard to education we agree that education of our children is generally more efficient in school (where one teacher can educate a room full of children), but no law can force our children to attend school.

For some children, public schooling is a form of imprisonment and as such is counter productive. At the time of this writing (2017) the internet is able to serve as a tremendous educational tool for both educating children and adults alike, and also has the benefit of keeping educational practices and knowledge itself relatively standardised. It is further noted that as (tax paying) jobs are being replaced by automation and robotics, it becomes increasingly difficult to generate enough money from taxation to pay teachers wages. With the aid of the internet every parent is a potential teacher. This is a responsibility that comes along with the freedom.

24 With regard to taxes, we the people, assert that we have a responsibility to contribute to the construction and maintenance of public assets, and also, to the payment of wages for various public servants. We also assert that we may opt to pay taxes with cash or labour. It is noted that forced taxation is not the best way as it can be viewed as a form of institutionalised theft, and may also lead to corruption. Free and loving people are much more likely to voluntarily contribute, particularly when the society as a whole can be seen to value the contributions so made.

At the time of this writing (2017) the same automation and robotics that are taking the jobs of humans can also be used in the creation and maintenance of public assets and infrastructure. The internet can be a great tool for coordinating works that need to be done as well as recognising contributions, and subsequently publicising such information.

25 With regard to wars, it should be expected that if the ideals contained in this Australian Assertion of Common Law Rights and Responsibilities are happily maintained by both we the people and our elected government, then the people would be happy and willing to fight to preserve these ideals.

Free and loving people don't want war so the only wars there could be is defence against military invasion.

26 With regard to cash, we the people feel that although a cashless society has many advantages, we do not agree that cash should be made obsolete. We want our government to continue providing adequate cash as a means of exchange. We want to be able to keep giving our children pocket money in cash, and we want to be able to donate cash, amongst other things.

We the people would never want the issuance of cash outsourced to any private corporation but rather be the responsibility of government.

27 With regard to the environment it is noted that we are all still reliant on nature providing us with good food, fresh water, and clean air. For this reason farming remains the singular primary industry and mining to be deemed a secondary industry. Mining interests can sometimes threaten and destroy farming interests. At the time of this writing (2017) there is much being said about overpopulation of planet earth by we the people (humans). It is indeed noted that planet earth has a finite carrying capacity. We the people need to be mindful of this when deciding on the size of our families. After all, are we the people not more intelligent than the lower animals who reproduce profusely only to have their offspring starve to death when their numbers outstrip their local environments ability to carry that number? Also, the efforts of conservationists is mostly well meaning but they sometimes forget that Australia is part of planet earth. Planet earth is not a static thing. Planet earth is changing all the time. It is primarily influenced by processes far removed from the control of we the people. Rather, planet earth is a dynamic system of interconnected subsystems of which we the people are only a small part. At the time of this writing the science of climate change is still inconclusive about how much impact we the people have. Basing legislation on inconclusive science is at best foolish.

The role and purpose of governments in Australia

28 All Australian governments and government departments must be mindful of the fact that they do not exist for their own sakes, but rather, that they exist to serve we the people. For this reason, our elected representatives are there to be directly involved in the making of laws and regulations that are a reflection of the will of the people. Further, the law generally exists to serve we the people rather than we the people serving the law. If the laws in Australia become such that we obey laws for no other reason than to obey the laws then we the people are serving the law, which is oppressive. Any one law is taken to be oppressive if more than 20% of the voting populace ignore or disobey that law. Such laws become null and void. Although the percentage of 20% may seem somewhat arbitrary, it must be noted that 20% of the populace, even of any one electorate, represents a very large number of people. With so many people either opposed to, or ignorant of, any one law means that there must be some serious doubt as to the validity of the law in question.

We don't want minority groups having too much power when it comes to the creation or negation of laws, but neither do we want the majority having too much power over a minority when that minority is still a very large number of people. One further note is that it is not our politicians jobs to simply create more laws, their basic role is for the keeping of the peace and creating laws or amending existing laws only when this becomes necessary.

For we the people to serve government would be a dictatorship (or worse) rather than a nation of free individuals.

29 We the people have the ultimate authority as to what is good for us on an individual basis. For this reason government must necessarily not be a benefactor to art, sport, or any other kind of recreation. Government involvement in art, sport or other recreation makes it possible to favour one persons art, sport or other recreation over another persons art, sport or other recreation. Censorship is unlawful in a nation of free individuals.

Postamble (Conclusion)

30 This Australian Assertion of Common Law Rights and Responsibilities is written in the spirit of love and peace for our neighbours. If we are to continue to live in peace and harmony, we need to be mindful, respectful, and have a degree of tolerance of our neighbours. The things that will destroy a peaceful and

harmonious society are oppression, corruption and greed, which are are inseparable. The more oppression there is in a nation, the closer that nation comes to becoming a dictatorship or worse. The ideals contained in this Australian Assertion of Common Law Rights and Responsibilities need active participation by at least the majority of individual people.

We cannot stop people from being greedy or corrupt, but we can stop people from oppressing other people, thereby limiting the effects of greed and corruption. It is agreed that laws are required for the maintenance of order, but it is also agreed that too many laws and regulations stifle and oppress people, and thus give opportunity for corruption. Although common law is based on the biblical law of "love your neighbour as yourself", even atheists can see the benefits of laws based on love. Love is easy to test. Love causes no harm.

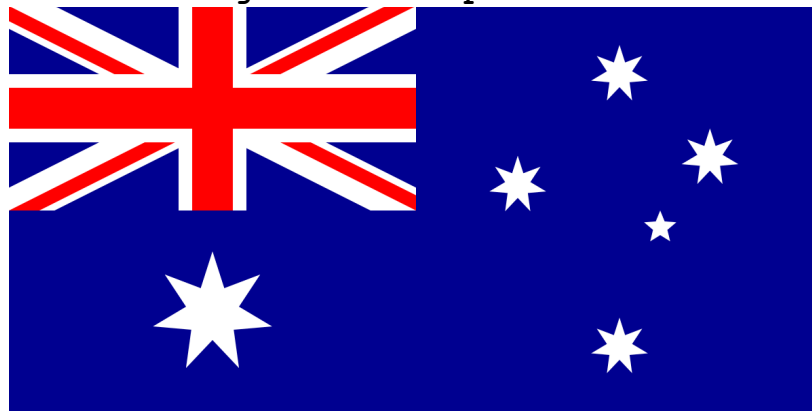
31 This Australian Assertion of Common Law Rights and Responsibilities has been written in 2017. It must be noted that at this point in Australia's history most people who cannot find paid employment are being supported by tax payers. With the inevitable increase of automation and robotics, an increasing number of people are going to fail to find paid employment, and there will be fewer tax payers to support them. This cannot continue. There are two alternatives for the future of Australia and Australians. We can become more regulated so that we must work more simply to fulfil the regulations such that there are inspectors of inspectors of inspectors of the one person that is doing the actual work. Or we can reduce regulation and free people so that each person or family can provide for themselves their own sustenance, thereby reducing our general reliance on limited public money. The latter is the aim of this Australian Assertion of Common Law Rights and Responsibilities, which is based on common law principles, which in turn is based on the biblical law of "love your neighbour".

The only people who would be opposed to this Australian Assertion of Common Rights and Responsibilities would be those who directly or indirectly benefit from the exploitation of other people (for whom they have no love, respect or tolerance).

32 Although all sections in this Australian Assertion of Common Law Rights and Responsibilities are numbered, no section is more or less important than another.

33 People who are in agreement with this Australian Assertion of Common Law Rights and Responsibilities in their hearts, are encouraged to show their agreement and support for these ideals by displaying an Australian flag with the title "Australian Assertion of Common Law Rights and Responsibilities", at their place of residence, perhaps on their letterbox.

**Australian Assertion of Common
Law Rights and Responsibilities**



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